IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.4804 of 2006

The Commissioner of Sales Tax — Petitioner
Vs.
Smt.Hemlata B. Choudhari — Respondent

With
Writ Petition No.4805 of 2006

The Commissiner of Sales Tax — Petitioner
Vs.
Shri Ramdas B. Tavre — Respondent

With
Writ Petition No.5498 of 2006

The Commissioner of Sales Tax — Petitioner
Vs.
Shri Sambhaji B. Budhawale — Respondent

Mr.A.P.Vanarase, AGP for petitioner.

Mr.N.V.Bandiwadekar for respondents in W.P.Nos. 4804 and 4805 of 2006.

Mr.C.T.Chandratre for respondent in W.P.No.5498 of 2006.

CORAM: B.H.MARLAPALLE & J.H.BHATIA,JJ.

November 06 , 2006.

P.C.

. All these petitions filed by the State of Maharashtra through the Commissioner of Sales Tax impugn the judgment and orders rendered by the Maharashtra Administrative Tribunal (Single Bench as well as Division Bench). In Writ Petition No.5498 of

2006, O.A. No.1008 of 2005 came to be allowed partly by directing the present petitioners to place the case of the respondent before the Departmental Promotion Committee to consider his case for granting time bound promotion as per the scheme formulated by the State Government, in accordance with law and in the light of the observations made in the order. In the remaining petitions as well while allowing the Original Applications the directions by the Division Bench of MAT are almost on the same lines. The Government of Maharashtra issued the G.R. dated 8/6/1995 thereby formulating a scheme of promotion on completion of 12 years of continuous service. The Tribunal held that all the applicants had completed the period of 12 years which fact is not disputed even in these petitions and it is implied that the directions to the State Government means the directions to place the cases of the applicants before the concerned Departmental Promotion Committee and the said Committee will have to consider the cases on their own merits. By the impugned orders the Tribunal has not granted the relief of promotions straightway and it has on the contrary directed the State authorities to refer the cases of all the applicants to the concerned Departmental Promotion

Committee which in turn will consider the issue of granting promotion as per the G.R. dated 8/6/1995 strictly as per the merits. Hence, there is no case made out to entertain these petitions.

. The petitions are disposed off with the above clarifications. The process as directed by the Tribunal shall be completed before 31st December 2006.

(J.H.BHATIA,J.) (B.H.MARLAPALLE,J.)